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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,672	03/16/2004	Sourabh Satish	SYMAP044	2680
21912 7590 09/28/2007 VAN PELT, YI & JAMES LLP 10050 N. FOOTHILL BLVD #200 CUPERTINO, CA 95014			EXAMINER DEBNATH, SUMAN	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 09/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/802,672	Applicant(s) SATISH, SOURABH	
	Examiner Suman Debnath	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9 and 11-17 are pending in this application.
2. Claims 10 and 18-20 are cancelled.
3. Claims 1-9 and 11-17 are presently amended.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Claim Rejections - 35 USC § 103

5. Claims 1-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (Pub. No.: US 2004/0143749 A1) (hereinafter "Tajalli") in view of Shah et al. (Patent No.: US 6,959,320 B2) (hereinafter "Shah").
6. As to claim 1, Tajalli discloses a method of providing security (abstract), comprising: accessing a database configured to store operational information associated with a process (FIG. 4, [0063], [0064], [0065], [0100]); determining a first behavior using the operational information, wherein the first behavior is associated with the process ([0066], "...define the permitted behavior of applications running on the agents", see also [0044], [0054], [0109], [0127]); monitoring the process ([0053], [0063]); comparing a second behavior with the first behavior, wherein the second behavior is attempted by the process ([0133], "unacceptable behavior", see also [0044], [0082]); and performing a predetermined responsive action if the second behavior is different from the first behavior ([0081] –[0082], see also [0133]–[0134]); wherein the

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operational information includes a list of one or more resources accessed by the process in the course of a normal and permitted operation ([0020], [0057]); and the database is used by the process in the course of said normal and permitted operation to enable the process to access said resources (FIG. 4, [0063] – [0066], [0134], “a library of pre-defined policy and policy components”).

Tajalli doesn't explicitly disclose to access said resources in an optimized manner. However, Shah discloses to access resources in an optimized manner (column 33, lines 10-46, see also col. 26, lines 30-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Tajalli as taught by Shah in order to “provide a client-side performance optimization system for applications that easily integrated into the client system's operating system” (Shah, col. 2, lines 30-36).

7. As to claim 2, Tajalli discloses in the event the second behavior is determined to be different from the first behavior, the second behavior is determined to be disallowed ([0133], “unacceptable behavior”, see also [0044], [0081], [0082]).

8. As to claim 3, Tajalli discloses wherein the first behavior is one of a plurality of behaviors determined using the operational information ([0066], “...define the permitted behavior of applications running on the agents”, see also [0044], [[0051], 0054], [0109], [0127]).

9. As to claim 4, Tajalli discloses wherein the first behavior is one of a plurality of behaviors determined using the operational information ([0066], "...define the permitted behavior of applications running on the agents", see also [0044], [0054], [0109], [0127]), and in the event the second behavior is determined to be different from the plurality of behaviors, the second behavior is determined to be disallowed ([0133], "unacceptable behavior", see also [0044], [0081], [0082]).

10. As to claim 5, Tajalli discloses further comprising determining that the second behavior is disallowed ([0133], "unacceptable behavior", see also [0081], "...as applications request and use resources, looking for requests or uses that depart from the acceptable behavior").

11. As to claim 6, Tajalli discloses further comprising determining that the second behavior is disallowed and performing a predetermined action ([0133], [0106], [0081]).

12. As to claim 7, Tajalli disclose wherein the predetermined action includes preventing the second behavior from succeeding ([0133], [0106], [0081]).

13. As to claim 8, Tajalli discloses wherein the predetermined action includes generating an event associated with the second behavior ([0081], [0082], [0106], "log data").

14. As to claim 9, Tajalli discloses wherein determining the first behavior using the operational information is performed when the process is not operating ([0066], [0082]).

15. As to claim 11, Tajalli doesn't explicitly disclose wherein the operational information is used to improve process initialization time. However, Shah discloses wherein the operational information is used to improve process initialization time. (column 33, lines 10-46, see also column 26, lines 30-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Tajalli as taught by Shah in order to "provide a client-side performance optimization system" (Shah).

16. As to claim 12, Tajalli discloses wherein the operational information is configured on a per user basis ([0205], "The Profiler 1102 can be used by users to generate BCDs 305 for their own custom applications").

17. As to claim 13, Tajalli discloses wherein the operational information includes component access information ([0020], "...each process set has a corresponding behavior control description, and controlling access to system resources by each process ..").

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18. As to claims 14 and 15, Tajalli discloses a database (FIG. 4). Tajalli doesn't explicitly disclose includes a prefetch file. However, Shah discloses prefetch file (col. 33, lines 10-46, see also column 26, lines 30-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Tajalli by including a prefetch file as taught by Shah in order to "provide a client-side performance optimization system" (Shah, col. 2, lines 30-36).

19. As to claims 16 and 17, these are rejected using the same rationale as for the rejection of claim 1.

20. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Amendment

21. Applicant has amended claims 1-9 and 11-17. The amendments neither overcome the rejections nor necessitated citation of additional prior art references. See rejection above.

Response to Arguments

22. Applicant argues that: "neither Tajalli nor Shah teaches using a database of information used by a process in the course of its normal and permitted operation to determine an allowed behavior of the process."

Examiner has carefully reviewed Applicant's argument and maintains that: Tajalli teaches using a database of information used by a process in the course of its normal and permitted operation to determine an allowed behavior of the process (FIG. 4, [0020], [0063] – [0066], [0134]). Tajalli teaches of using a database of information used by a process wherein a process access the system resources based on a corresponding behavior control description ([0020]-[0021]). Tajalli teaches permitted operation to determine an allowed behavior by having "The policy configuration consists of multiple, independent behavior control descriptions and a set of process binding rules defining which process are controlled by which behavior control descriptions (e.g., see [0051])."

Conclusion

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suman Debnath whose telephone number is 571 270 1256. The examiner can normally be reached on 8 am to 5 pm.

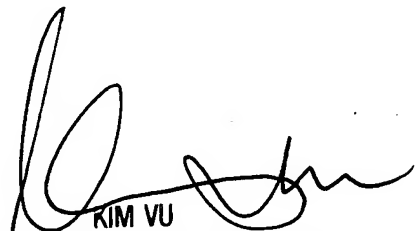
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SD


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